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In re Application of :
J FRIEDMAN ET AL :
Application No. 08/783,734 :
Filed: January 16, 1997 :
Attorney Docket No. 600-1-162CP2 :

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed December 5, 1997, to revive the above-identified application.

The petition is granted.

This application became abandoned for failure to reply timely to the "Notice To File Missing Parts" mailed April 18, 1997, which set a period for reply of two months. No notice of abandonment has been mailed.

This petition was filed under the revival rules in effect as of December 1, 1997. *Note Changes to Patent Practice and Procedure; Final Rule Notice, 62 Fed. Reg. 53131 (October 10, 1997), 1203 Off. Gaz. Patent Office 63 (October 21, 1997)*. Therefore, the statement of unintentional delay does not comply with the provisions of 37 CFR 1.137(b)(3) in effect as of December 1, 1997. However, the statement presented will be accepted and construed as meaning that "the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b), was unintentional." If this is an incorrect interpretation in view of the new rules, petitioner is required to provide a statement to that effect.

The application file is being forwarded to the Office of Initial Patent Examination for further processing.

Telephone inquiries related to this decision should be directed to
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